

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:09CR166 RWS
)	
RAZA KAZAMI, and)	
LAIS MOHAMMAD NOORI,)	
)	
Defendants.)	

ORDER

This matter is before the Court on the motions of defendant Raza Kazami [#96] and of defendant Lais Mohammad Noori [#109] for severance of their respective cases for separate trials, the motion of defendant Lais Mohammad Noori to suppress evidence [#81 oral motion], the motion of defendant Noori to dismiss Count 1 as legally insufficient on its face [#108], the motion of defendant Raza Kazami to suppress evidence and statements [#98 and #69 oral motion], and the motion of defendant Raza Kazami for the return of seized property [#54].

Pursuant to 28 U.S.C. § 636(b), the motions were referred to United States Magistrate Judge David D. Noce. Judge Noce held evidentiary hearings on April 21, 2009 and April 29, 2009. Thereafter Judge Noce filed his Reports and Recommendations regarding the defendants' motions on and April 28, 2009 and

May 15, 2009. No objections to the Magistrate Judge's recommendations have been filed.

After fully considering the motions and the Report and Recommendations, the Court will adopt and sustain the thorough reasoning of Judge Noce set forth in support of his recommended rulings.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendations of the United States Magistrate Judge [#120 and #124] are **SUSTAINED, ADOPTED, and INCORPORATED** herein.

IT IS FURTHER ORDERED that the motions of defendant Raza Kazami [#96] and of defendant Lais Mohammad Noori [#109] for severance of their respective cases for separate trials is denied.

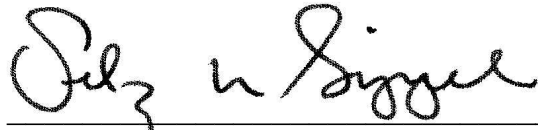
IT IS FURTHER ORDERED that the motion of defendant Lais Mohammad Noori to suppress evidence [#81 oral motion] is denied as moot.

IT IS FURTHER ORDERED that the motion of defendant Noori to dismiss Count 1 as legally insufficient on its face [#108] is denied.

IT IS FURTHER ORDERED that the motion of defendant Raza Kazami to suppress evidence and statements [#98 and #69 oral motion] are denied as moot because they were withdrawn.

IT IS FURTHER ORDERED that the motion of defendant Raza Kazami for the return of seized property [#54] is denied.

IT IS FINALLY ORDERED that this matter remains set for a jury trial on **Monday, July 6, 2009 at 9:00 a.m.**

A handwritten signature in black ink, appearing to read "Rodney W. Sippe", written over a horizontal line.

RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 8th day of June, 2009.